

***Tier 1 EIS
I-69/Evansville-to-Indy Study***

***Corridor 18: Legal Description, Modification,
and Evaluation of Alternatives under NEPA***

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Question:

What is the legally designated route for Corridor 18 in Indiana? How can the legally designated route be modified? Is it necessary for the Tier 1 EIS to consider alternatives that do not follow the legally designated route?

Answer:

The legal status of Corridor 18 is a complex issue. Key points include:

- ✓ Section 1105(c) of ISTEA designates a route for Corridor 18 that includes Evansville and Indianapolis but does not specifically include Bloomington.
- ✓ Section 1105(f) of ISTEA provides funding for a “high-priority segment” of Corridor 18 between Evansville and Bloomington.
- ✓ The official NHS map for Indiana – which was approved by Congress – includes an Evansville-to-Bloomington-to-Indianapolis route on the NHS. However, it does not specifically designate this route as Corridor 18.
- ✓ *FHWA and INDOT have concluded that, under current law, Corridor 18 must connect Evansville and Indianapolis, but need not connect to Bloomington.*

Changes to the description of Corridor 18 in Section 1105(c) of ISTEA can be made only by Congress. Changes to the NHS map can be made by FHWA.

The Tier 1 EIS must consider all reasonable alternatives for completing Corridor 18. To be considered reasonable for this study, an alternative must connect Evansville and Indianapolis, but does need not to connect to Bloomington.

Supporting Information:

What is the Legally Designated Route for Corridor 18 in Indiana? Congress has addressed the location of Corridor 18 in several ways – by designating the corridor itself, by approving funding for a “high-priority segment” of the corridor, and by approving the National Highway System (NHS) map for Indiana. To

determine the legal status of Corridor 18, it is necessary to consider all of these expressions of the intentions of Congress.

Legal Description of Corridor 18. Section 1105(c) of the Intermodal Surface Transportation Act of 1991 (ISTEA) designated routes for certain “high-priority corridors” on the NHS. The corridor designated in Section 1105(c)(18) – now known as “Corridor 18” – included Indianapolis and Evansville, but did not mention Bloomington. Congress has amended Section 1105(c)(18) on several occasions, most recently in the Transportation Equity Act for the 21st Century (TEA-21) in 1998. However, the legal description of Corridor 18 in Indiana has remained unchanged: it still includes Indianapolis and Evansville, but does not include Bloomington. (See Section 1105(c), at Tab 1.)

“High-Priority Segment” of Corridor 18. Section 1105(f) of ISTEA authorized funding for certain “high-priority segments” of the high-priority corridors. One of the high-priority segments listed in this section was the “Bloomington-to-Newberry” section of Corridor 18. Subsequently, the description of this high-priority segment was extended to “Bloomington to Evansville.” (See Section 1105(f), at Tab 2.)

Indiana’s NHS Map. In ISTEA, Congress directed the States to recommend routes that should be included on the NHS, a national network of highways that serve as the primary focus for federal transportation investments. The map developed by INDOT, and approved by FHWA, included an Evansville-to-Bloomington-to-Indianapolis route. Congress approved the Indiana NHS map in 1995, and approved a slightly modified version in 1998. The current approved NHS map for Indiana shows an Evansville-to-Bloomington-to-Indianapolis highway, but does not specifically designate this route as Corridor 18 and does not depict this route as an Interstate. (See Indiana NHS Map and 23 USC § 103(b)(1), at Tab 3.)

Current Legal Definition of Corridor 18. The FHWA and INDOT interpret the current legal status of Corridor 18 as follows:

- (1) Corridor 18 must connect Evansville and Indianapolis, but does not need to connect to Bloomington;
- (2) the funding authorized for the “high-priority segment” between Evansville and Bloomington can be used for construction of Corridor 18 only if an Evansville-to-Bloomington-to-Indianapolis route is chosen (or the legislation is changed); and

(3) the current NHS map for Indiana does not specifically identify a location for Corridor 18.

How Can the Legally Designated Route for Corridor 18 Be Modified? The current legal definition of Corridor 18 can be modified, as can the current NHS map. The procedures for modifying them are as follows:

Modifying Corridor 18. The route for Corridor 18, as defined in Section 1105(c) of ISTEA, can only be modified by an act of Congress. Thus, it is conceivable that Congress could shift the route for Corridor 18 to Illinois, or make other significant changes to the route for Corridor 18.

Modifying the NHS Map. The U.S. Secretary of Transportation has the authority to approve "any modification" to the NHS, as long as the modification is consistent with the criteria established for the NHS in federal legislation. (See 23 U.S.C. § 103(b)(4) at Tab 4.) The Secretary's power to approve changes to the NHS is exercised by FHWA, which has issued criteria for evaluating proposed modifications. (See 23 C.F.R. Part 470, App. D at Tab 5.)

- As part of the ongoing Tier 1 EIS, FHWA and INDOT will review the various alternatives for consistency with the NHS criteria.
- If an alternative that would require a change in the NHS map is selected, FHWA would approve the necessary change in the NHS map in conjunction with its approval of the Tier 1 EIS or at an appropriate time soon thereafter.

What Alternatives Need to be Considered in the Tier 1 EIS? To comply with the National Environmental Policy Act (NEPA), the Tier 1 EIS must consider all "reasonable" alternatives. An alternative may be "reasonable" even if it requires a change in legislation or administrative policy. On the other hand, the fact that an alternative would require a change in existing legislation and policies is one factor that can be *considered* in deciding whether that alternative is reasonable.

For purposes of the Tier 1 EIS, FHWA and INDOT have determined that:

- An alternative that does not complete Corridor 18 between Evansville and Indianapolis is not a reasonable alternative.

- An alternative that does not serve Bloomington may still be reasonable, even though it would be ineligible for certain funds previously authorized by Congress – e.g., the funds authorized for construction of a Bloomington-to-Evansville highway.
- An alternative that would require a change in the official NHS map for Indiana may still be reasonable, as long as the change could be approved in accordance with the standard criteria for modifying the NHS.

TAB 1
Sec. 1105(c) - ISTE A91

CITY/STATE	CONGESTION RELIEF	AMOUNT in millions
41. Ohio	Construction of a bicycle/pedestrian facility from Greene County, Ohio, to Dayton, Ohio	3.0
42. Jefferson County and Berkeley County, West Virginia	Improvements of State Highway 9 from Martinsburg, West Virginia to Virginia State line	110.0
43. West Virginia	Construction of the Coalfields Expressway from Beckley, West Virginia to Virginia State line	50.0
44. Maine	Improvements to the Carlton Bridge in Bath-Woolwich	10.0

(c) **ALLOCATION PERCENTAGES.**—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) **FEDERAL SHARE.**—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) **DELEGATION TO STATES.**—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) **ADVANCE CONSTRUCTION.**—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) **APPLICABILITY OF TITLE 23.**—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

SEC. 1105. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) **FINDINGS.**—The Congress finds that—

(1) the construction of the Interstate Highway System connected the major population centers of the Nation and greatly enhanced economic growth in the United States;

(2) many regions of the Nation are not now adequately served by the Interstate System or comparable highways and require further highway development in order to serve the travel and economic development needs of the region; and

(3) the development of transportation corridors is the most efficient and effective way of integrating regions and improving efficiency and safety of commerce and travel and further promoting economic development.

(b) PURPOSE.—It is the purpose of this section to identify highway corridors of national significance; to include those corridors on the National Highway System; to allow the Secretary, in cooperation with the States, to prepare long-range plans and feasibility studies for these corridors; to allow the States to give priority to funding the construction of these corridors; and to provide increased funding for segments of these corridors that have been identified for construction.

(c) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—The following are high priority corridors on the National Highway System:

(1) North-South Corridor from Kansas City, Missouri, to Shreveport, Louisiana.

(2) Avenue of the Saints Corridor from St. Louis, Missouri, to St. Paul, Minnesota.

(3) East-West Transamerica Corridor commencing on the Atlantic Coast in the Hampton Roads area going westward across Virginia to the vicinity of Lynchburg, Virginia, continuing west to serve Roanoke and then to a West Virginia corridor centered around Beckley to Welch as part of the Coalfields Expressway described in section 1069(v), then to Williamson sharing a common corridor with the I-73/74 Corridor (referred to in item 12 of the table contained in subsection (f)), then to a Kentucky Corridor centered on the cities of Pikeville, Jenkins, Hazard, London, Somerset, Columbia, Bowling Green, Hopkinsville, Benton, and Paducah, into Illinois, and into Missouri and exiting western Missouri and moving westward across southern Kansas.

(4) Hoosier Heartland Industrial Corridor from Lafayette, Indiana, to Toledo, Ohio.

(5)(A) I-73/74 North-South Corridor from Charleston, South Carolina, through Winston-Salem, North Carolina, to Portsmouth, Ohio, to Cincinnati, Ohio, to termini at Detroit, Michigan and Sault Ste. Marie, Michigan. The Sault Ste. Marie terminus shall be reached via a corridor connecting Adrian, Jackson, Lansing, Mount Pleasant, and Grayling, Michigan.

(B)(i) In the Commonwealth of Virginia, the Corridor shall generally follow—

(I) United States Route 220 from the Virginia-North Carolina border to I-581 south of Roanoke;

(II) I-581 to I-81 in the vicinity of Roanoke;

- (III) I-81 to the proposed highway to demonstrate intelligent transportation systems authorized by item 29 of the table in section 1107(b) in the vicinity of Christiansburg to United States Route 460 in the vicinity of Blacksburg; and
- (IV) United States Route 460 to the West Virginia State line.
- (ii) In the States of West Virginia, Kentucky, and Ohio, the Corridor shall generally follow—
 - (I) United States Route 460 from the West Virginia State line to United States Route 52 at Bluefield, West Virginia; and
 - (II) United States Route 52 to United States Route 23 at Portsmouth, Ohio.
- (iii) In the States of North Carolina and South Carolina, the Corridor shall generally follow—
 - (I) in the case of I-73—
 - (aa) United States Route 220 from the Virginia State line to State Route 68 in the vicinity of Greensboro;
 - (bb) State Route 68 to I-40;
 - (cc) I-40 to United States Route 220 in Greensboro;
 - (dd) United States Route 220 to United States Route 1 near Rockingham;
 - (ee) United States Route 1 to the South Carolina State line; and
 - (ff)¹ South Carolina State line to the Myrtle Beach Conway region to Georgetown, South Carolina, including a connection to Andrews following the route 41 corridor and to Camden following the U.S. Route 521 corridor; and
 - (II) in the case of I-74—
 - (aa) I-77 from Bluefield, West Virginia, to the junction of I-77 and the United States Route 52 connector in Surry County, North Carolina;
 - (bb) the I-77/United States Route 52 connector to United States Route 52 south of Mount Airy, North Carolina;
 - (cc) United States Route 52 to United States Route 311 in Winston-Salem, North Carolina;
 - (dd) United States Route 311 to United States Route 220 in the vicinity of Randleman, North Carolina;
 - (ee) United States Route 220 to United States Route 74 near Rockingham;
 - (ff) United States Route 74 to United States Route 76 near Whiteville;
 - (gg) United States Route 74/76 to the South Carolina State line in Brunswick County; and

¹ So in law.

(hh)¹ South Carolina State line to the Myrtle Beach Conway region to Georgetown, South Carolina.

(6) United States Route 80 Corridor from Meridian, Mississippi, to Savannah, Georgia.

(7) East-West Corridor from Memphis, Tennessee, through Huntsville, Alabama, to Atlanta, Georgia, and Chattanooga, Tennessee.

(8) Highway 412 East-West Corridor from Tulsa, Oklahoma, through Arkansas along United States Route 62/63/65 to Nashville, Tennessee.

(9) United States Route 220 and the Appalachian Thruway Corridor from Business 220 in Bedford, Pennsylvania, to the vicinity of Corning, New York, including United States Route 322 between United States Route 220 and I-80.

(10) Appalachian Regional Corridor X.

(11) Appalachian Regional Corridor V.

(12) United States Route 25E Corridor from Corbin, Kentucky, to Morristown, Tennessee, via Cumberland Gap, to include that portion of Route 58 in Virginia which lies within the Cumberland Gap Historical Park.

(13) Raleigh-Norfolk Corridor, Raleigh, North Carolina, to Norfolk, Virginia.

(14) Heartland Expressway from Denver, Colorado, through Scottsbluff, Nebraska, to Rapid City, South Dakota.

(15) Urban Highway Corridor along M-59 in Michigan.

(16) Economic Lifeline Corridor along I-15 and I-40 in California, Arizona, and Nevada.

(17) Route 29 Corridor from Greensboro, North Carolina, to the District of Columbia.

(18) Corridor from Sarnia, Ontario, Canada, through Port Huron, Michigan, southwesterly along Interstate Route 69 through Indianapolis, Indiana, through Evansville, Indiana, Memphis, Tennessee, Mississippi, Arkansas, Shreveport/Bossier, Louisiana, to Houston, Texas, and to the Lower Rio Grande Valley at the border between the United States and Mexico, as follows:

(A) In Michigan, the corridor shall be from Sarnia, Ontario, Canada, southwesterly along Interstate Route 94 to the Ambassador Bridge interchange in Detroit, Michigan.

(B) In Michigan and Illinois, the corridor shall be from Windsor, Ontario, Canada, through Detroit, Michigan, westerly along Interstate Route 94 to Chicago, Illinois.

(C) In Tennessee, Mississippi, Arkansas, and Louisiana, the Corridor shall—

(i) follow the alignment generally identified in the Corridor 18 Special Issues Study Final Report; and

(ii) include a connection between the Corridor in the vicinity of Monticello, Arkansas, to Pine Bluff, Arkansas.

(D) In the Lower Rio Grande Valley, the Corridor shall—

¹So in law.

- (i) include United States Route 77 from the Rio Grande River to Interstate Route 37 at Corpus Christi, Texas, and then to Victoria, Texas, via U.S. Route 77;
 - (ii) include United States Route 281 from the Rio Grande River to Interstate Route 37 and then to Victoria, Texas, via United States Route 59; and
 - (iii) include the Corpus Christi Northside Highway and Rail Corridor from the existing intersection of United States Route 77 and Interstate Route 37 to United States Route 181, including FM511 from United States Route 77 to the Port of Brownsville.
- (19) United States Route 395 Corridor from the United States-Canadian border to Reno, Nevada.
- (20) United States Route 59 Corridor from Laredo, Texas, through Houston, Texas, to the vicinity of Texarkana, Texas.
- (21) United States Route 219 Corridor from Buffalo, New York, to the intersection of Interstate Route 80.
- (22) The Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate 10, Los Angeles, California.
- (23) The Interstate Route 35 Corridor from Laredo, Texas, through Oklahoma City, Oklahoma, to Wichita, Kansas, to Kansas City, Kansas/Missouri, to Des Moines, Iowa, to Minneapolis, Minnesota, to Duluth, Minnesota, including I-29 between Kansas City and the Canadian border.
- (24) The Dalton Highway from Deadhorse, Alaska to Fairbanks, Alaska.
- (25) State Route 168 (South Battlefield Boulevard), Virginia, from the Great Bridge Bypass to the North Carolina State line.
- (26) The CANAMEX Corridor from Nogales, Arizona, through Las Vegas, Nevada, to Salt Lake City, Utah, to Idaho Falls, Idaho, to Montana, to the Canadian Border as follows:
 - (A) In the State of Arizona, the CANAMEX Corridor shall generally follow—
 - (i) I-19 from Nogales to Tucson;
 - (ii) I-10 from Tucson to Phoenix; and
 - (iii) United States Route 93 in the vicinity of Phoenix to the Nevada Border.
 - (B) In the State of Nevada, the CANAMEX Corridor shall follow—
 - (i) United States Route 93 from the Arizona Border to Las Vegas; and
 - (ii) I-15 from Las Vegas to the Utah Border.
 - (C) From the Utah Border through Montana to the Canadian Border, the CANAMEX Corridor shall follow I-15.
- (27) The Camino Real Corridor from El Paso, Texas, to Denver, Colorado, as follows:
 - (A) In the State of Texas, the Camino Real Corridor shall generally follow—
 - (i) arterials from the international ports of entry to I-10 in El Paso County; and
 - (ii) I-10 from El Paso County to the New Mexico border.

TAB 2
Sec. 1105(f) - ISTE A91

CITY/STATE	CONGESTION RELIEF	AMOUNT in millions
42. Jefferson County and Berkeley County, West Virginia.....	Improvements of State Highway 9 from Martinsburg, West Virginia to Virginia State line.....	110.0
43. West Virginia.....	Construction of the Coal Fields Expressway from Beckley, West Virginia to Virginia State line.....	50.0
44. Maine.....	Improvements to the Carlton Bridge in Bath-Woolwich.....	10.0

(c) **ALLOCATION PERCENTAGES.**—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) **FEDERAL SHARE.**—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) **DELEGATION TO STATES.**—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) **ADVANCE CONSTRUCTION.**—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it; the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) **APPLICABILITY OF TITLE 23.**—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

SEC. 1105. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) **FINDINGS.**—The Congress finds that—

(1) the construction of the Interstate Highway System connected the major population centers of the Nation and greatly enhanced economic growth in the United States;

(2) many regions of the Nation are not now adequately served by the Interstate System or comparable highways and require further highway development in order to serve the travel and economic development needs of the region; and

(21) United States Route 219 Corridor from Buffalo, New York, to the intersection of United States Route 17 in the vicinity of Salamanca, New York.

(d) **INCLUSION ON NHS.**—The Secretary shall include all corridors identified in subsection (c) on the proposed National Highway System submitted to Congress under section 103(b)(3) of title 23, United States Code.

(e) **PROVISIONS APPLICABLE TO CORRIDORS.**—

(1) **LONG-RANGE PLAN.**—The Secretary, in cooperation with the affected State or States, may prepare a long-range plan for the upgrading of each corridor to the appropriate standard for highways on the National Highway System. Each such plan may include a plan for developing the corridor and a plan for financing the development.

(2) **FEASIBILITY STUDIES.**—The Secretary, in cooperation with the affected State or States, may prepare feasibility and design studies, as necessary, for those corridors for which such studies have not been prepared. A feasibility study may be conducted under this subsection with respect to the corridor described in subsection (c)(2), relating to Avenue of the Saints, to determine the feasibility of an adjunct to the Avenue of the Saints serving the southern St. Louis metropolitan area and connecting with I-55 in the vicinity of Route A in Jefferson County, Missouri.

(3) **CERTIFICATION ACCEPTANCE.**—The Secretary may discharge any of his responsibilities under title 23, United States Code, relative to projects on a corridor identified under subsection (c), upon the request of a State, by accepting a certification by the State in accordance with section 117 of such title.

(4) **ACCELERATION OF PROJECTS.**—To the maximum extent feasible, the Secretary may use procedures for acceleration of projects in carrying out projects on corridors identified in subsection (c).

(f) **HIGH PRIORITY SEGMENTS.**—Highway segments of the corridors referred to in subsection (c) which are described in this subsection are high priority segments eligible for assistance under this section. Subject to subsection (g)(2), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out a project on each such segment the amount listed for each such segment:

CITY/STATE	HIGH PRIORITY CORRIDORS	AMOUNT in millions
1. Pennsylvania.....	For upgrading U.S. 220 High Priority and the Appalachian Thruway Corridor between State College and I-80	50.7
2. Alabama, Georgia, Mississippi, Tennessee.....	Upgrading of the East-West Corridor along Rt. 72	25.4
3. Missouri.....	Improvement of North-South Corridor along Highway 71, Southwestern, MO.....	3.6
4. Arkansas.....	For construction of Highway 412 from Siloam Springs to Springdale, Arkansas as part of Highway 412 East-West Corridor.....	34.0

CITY/STATE	HIGH PRIORITY CORRIDORS	AMOUNT in millions
5. Arkansas.....	For construction of Highway 412 from Harrison to Springdale, Arkansas as part of the Highway 412 East-West Corridor.....	56.0
6. Pennsylvania.....	To improve U.S. 220 to a 4-lane limited access highway from Bald Eagle northward to the intersection of U.S. 220 and U.S. 322.....	143.0
7. S. Dakota/Nebraska.....	Conduct a feasibility study of expressway from Rapid City, S. Dakota to Scotts Bluff, Nebraska.....	0.64
8. Alabama.....	Construction of Appalachian Highway Corridor X from Corridor V near Fulton, Mississippi to U.S. 31 at Birmingham, Alabama as part of Appalachian Highway X Corridor Project.....	59.2
9. Alabama.....	For construction of a portion of Appalachian Development Corridor V from Mississippi State Line near Red Bay, Alabama to the Tennessee State Line north of Bridgeport, Alabama.....	25.4
10. West Virginia.....	Construction of Shawnee Project from 3-Corner Junction to I-77 as part of I-73/74 Corridor project.....	4.5
11. West Virginia.....	Widening U.S. Rt. 52 from Huntington to Williamson, W. Virginia as part of the I-73/74 Corridor project.....	100.0
12. West Virginia.....	Replacement of U.S. Rt. 52 from Williamson, W. Virginia to I-77 as part of the I-73/74 Corridor project.....	14.0
13. North Carolina/Virginia.....	For Upgrading I-64 and Route 17 Virginia and constructing a new highway from Rocky Mount to Elizabeth City, North Carolina as part of the Raleigh-Norfolk High Priority Corridor Improvements.....	17.8
14. Arkansas.....	Construction of Highway 71 between Fayetteville and Alma, Arkansas as part of the North-South High Priority Corridor.....	100.0
15. Arkansas/Texas.....	For construction of Highway 71 from Alma, Arkansas to Louisiana border.....	70.0
16. Michigan.....	To widen a 60 mile portion of highway M-59 from MacComb County to I-96 in Howell County, Michigan.....	29.6
17. South Dakota, Colorado, Nebraska.....	To improve the Heartland Expressway from Rapid City, South Dakota to Scotts Bluff, Nebraska.....	29.6
18. Indiana.....	To construct a 4-lane highway from Lafayette to Ft. Wayne, Indiana, following existing Indiana 25 and U.S. 24.....	9.5

CITY/STATE	HIGH PRIORITY CORRIDORS	AMOUNT in millions
19. Ohio/Indiana	Conduct feasibility and economic study to widen Rt. 24 from Ft. Wayne, Indiana to Toledo, Ohio as part of the Lafayette to Toledo Corridor.....	0.32
20. California, Nevada, Arizona.....	For improvements on I-15 and I-40 in California, Nevada and Arizona (\$10,500,000 of which shall be expended on the Nevada portion of the corridor, including the I-15/U.S. 95 interchange).....	59.2
21. Louisiana.....	To improve the North-South Corridor from Louisiana border to Shreveport, Louisiana.....	29.6
22. Missouri, Iowa, Minnesota.....	For improvements for Avenue of the Saints from St. Paul, Minnesota to St. Louis, Missouri.....	118.0
24. Various States.....	I-66 Transamerica Highway Feasibility study.....	1.0
25. Kentucky, Tennessee, Virginia.....	To improve Cumberland Gap Tunnel and for various associated improvements as part of U.S. 25E Corridor, except that the allocation percentages under section 1105(g)(2) of this section shall not apply to this project after fiscal year 1992.....	72.4
26. Indiana, Kentucky, Tennessee.....	To improve the Bloomington, Indiana to Newberry, Indiana, segment of the Indianapolis, Indiana to Memphis, Tennessee, high priority corridor.....	23.7
27. Washington.....	For improvements on the Washington State portion of the U.S. 395 corridor from the U.S.-Canadian border to Reno, Nevada.....	54.5
28. Virginia.....	Construction of a bypass of Danville, Virginia, on Route 29 Corridor.....	17.0
29. Arkansas.....	Highway 412 from Harrison to Mt. Home.....	20.0
30. New York.....	Improvements on Route 219 between Springville to Ellicottville in New York State.....	9.5

(g) PROVISIONS RELATING TO HIGH PRIORITY SEGMENTS.—

(1) DETAILED PLANS.—Each State in which a priority segment identified under subsection (f) is located may prepare a detailed plan for completion of construction of such segment and for financing such construction.

(2) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (f) for each high priority segment authorized by subsection (f) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(3) FEDERAL SHARE.—The Federal share payable on account of any project under subsection (f) shall be 80 percent of the cost thereof.

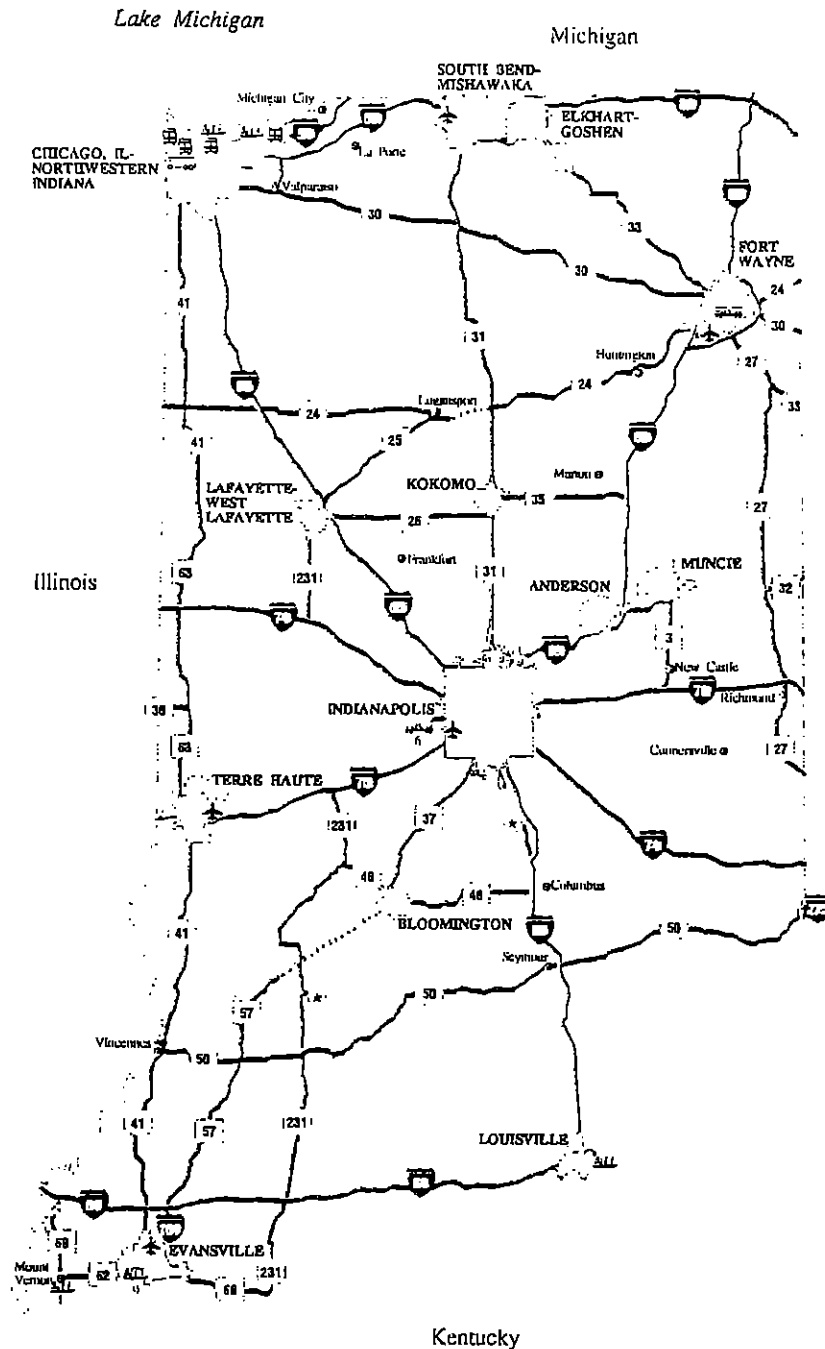
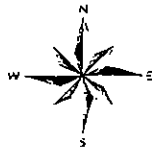
TAB 3
Indiana NHS Map and 23 USC § 103(b)(1)

NHS and Additional Proposed Intermodal Connectors STATE OF INDIANA



U.S. Department
of Transportation

Federal Highway
Administration



LEGEND

- Eisenhower Interstate System
- Other NHS Route
- Proposed Intermodal Connector
- Waterway
- Military Base
- Airport
- Amtrak Station
- Bus/Rail Transit Service
- Port Terminal
- Highway/Rail Transfer Facility
- Intercity Bus Terminal
- Multipurpose Pass. Terminal
- Ferry Terminal
- Pipeline Terminal
- Urbanized Area

** Dashed lines indicate proposed routes. **



DATE: March 17, 1997
Projection: UTM, ZONE: 16

§ 103. Federal-aid systems

(a) **IN GENERAL.**—For the purposes of this title, the Federal-aid systems are the Interstate System and the National Highway System.

(b) **NATIONAL HIGHWAY SYSTEM.**—

(1) **DESCRIPTION.**—The National Highway System consists of the highway routes and connections to transportation facilities depicted on the map submitted by the Secretary to Congress with the report entitled "Pulling Together: The National Highway System and its Connections to Major Intermodal Terminals" and dated May 24, 1996. The system shall—

(A) serve major population centers, international border crossings, ports, airports, public transportation facilities, and other intermodal transportation facilities and other major travel destinations;

(B) meet national defense requirements; and

(C) serve interstate and interregional travel.

(2) **COMPONENTS.**—The National Highway System described in paragraph (1) consists of the following:

(A) The Interstate System described in subsection (c).

(B) Other urban and rural principal arterial routes.

(C) Other connector highways (including toll facilities) that provide motor vehicle access between arterial routes on the National Highway System and a major intermodal transportation facility.

(D) A strategic highway network consisting of a network of highways that are important to the United States strategic defense policy and that provide defense access, continuity, and emergency capabilities for the movement of personnel, materials, and equipment in both peacetime and wartime. The highways may be highways on or off the Interstate System and shall be designated by the Secretary in consultation with appropriate Federal agencies and the States.

(E) Major strategic highway network connectors consisting of highways that provide motor vehicle access between major military installations and highways that are part of the strategic highway network. The highways shall be designated by the Secretary in consultation with appropriate Federal agencies and the States.

(3) **MAXIMUM MILEAGE.**—The mileage of highways on the National Highway System shall not exceed 178,250 miles.

(4) **MODIFICATIONS TO NHS.**—

(A) **IN GENERAL.**—The Secretary may make any modification, including any modification consisting of a connector to a major intermodal terminal, to the National Highway System that is proposed by a State or that is proposed by a State and revised by the Secretary if the Secretary determines that the modification—

(i) meets the criteria established for the National Highway System under this title; and

(ii) enhances the national transportation characteristics of the National Highway System.

TAB 4
23 U.S.C. § 103(b)(4)

§ 103. Federal-aid systems

(a) **IN GENERAL.**—For the purposes of this title, the Federal-aid systems are the Interstate System and the National Highway System.

(b) **NATIONAL HIGHWAY SYSTEM.**—

(1) **DESCRIPTION.**—The National Highway System consists of the highway routes and connections to transportation facilities depicted on the map submitted by the Secretary to Congress with the report entitled "Pulling Together: The National Highway System and its Connections to Major Intermodal Terminals" and dated May 24, 1996. The system shall—

(A) serve major population centers, international border crossings, ports, airports, public transportation facilities, and other intermodal transportation facilities and other major travel destinations;

(B) meet national defense requirements; and

(C) serve interstate and interregional travel.

(2) **COMPONENTS.**—The National Highway System described in paragraph (1) consists of the following:

(A) The Interstate System described in subsection (c).

(B) Other urban and rural principal arterial routes.

(C) Other connector highways (including toll facilities) that provide motor vehicle access between arterial routes on the National Highway System and a major intermodal transportation facility.

(D) A strategic highway network consisting of a network of highways that are important to the United States strategic defense policy and that provide defense access, continuity, and emergency capabilities for the movement of personnel, materials, and equipment in both peacetime and wartime. The highways may be highways on or off the Interstate System and shall be designated by the Secretary in consultation with appropriate Federal agencies and the States.

(E) Major strategic highway network connectors consisting of highways that provide motor vehicle access between major military installations and highways that are part of the strategic highway network. The highways shall be designated by the Secretary in consultation with appropriate Federal agencies and the States.

(3) **MAXIMUM MILEAGE.**—The mileage of highways on the National Highway System shall not exceed 178,250 miles.

(4) **MODIFICATIONS TO NHS.**—

(A) **IN GENERAL.**—The Secretary may make any modification, including any modification consisting of a connector to a major intermodal terminal, to the National Highway System that is proposed by a State or that is proposed by a State and revised by the Secretary if the Secretary determines that the modification—

(i) meets the criteria established for the National Highway System under this title; and

(ii) enhances the national transportation characteristics of the National Highway System.

(B) COOPERATION.—

(i) IN GENERAL.—In proposing a modification under this paragraph, a State shall cooperate with local and regional officials.

(ii) URBANIZED AREAS.—In an urbanized area, the local officials shall act through the metropolitan planning organization designated for the area under section 134.

(5) CONGRESSIONAL HIGH PRIORITY CORRIDORS.—Upon the completion of feasibility studies, the Secretary shall add to the National Highway System any congressional high priority corridor or any segment of such a corridor established by section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031 et seq.) that was not identified on the National Highway System described in paragraph (1).

(6) ELIGIBLE PROJECTS FOR NHS.—Subject to approval by the Secretary, funds apportioned to a State under section 104(b)(1) for the National Highway System may be obligated for any of the following:

(A) Construction, reconstruction, resurfacing, restoration, and rehabilitation of segments of the National Highway System.

(B) Operational improvements for segments of the National Highway System.

(C) Construction of, and operational improvements for, a Federal-aid highway not on the National Highway System, and construction of a transit project eligible for assistance under chapter 53 of title 49, if—

(i) the highway or transit project is in the same corridor as, and in proximity to, a fully access-controlled highway designated as a part of the National Highway System;

(ii) the construction or improvements will improve the level of service on the fully access-controlled highway described in clause (i) and improve regional traffic flow; and

(iii) the construction or improvements are more cost-effective than an improvement to the fully access-controlled highway described in clause (i).

(D) Highway safety improvements for segments of the National Highway System.

(E) Transportation planning in accordance with sections 134 and 135.

(F) Highway research and planning in accordance with chapter 5.

(G) Highway-related technology transfer activities.

(H) Capital and operating costs for traffic monitoring, management, and control facilities and programs.

(I) Fringe and corridor parking facilities.

(J) Carpool and vanpool projects.

(K) Bicycle transportation and pedestrian walkways in accordance with section 217.

(L) Development, establishment, and implementation of management systems under section 303.

TAB 5
23 C.F.R. Part 470, App. D

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a State include the Secretary of the Interior.

§ 460.3 Procedures.

(a) *General requirements.* 23 U.S.C. 402(c) provides that funds authorized to carry out section 402 shall be apportioned according to a formula based on population and public road mileage of each State. Public road mileage shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State or his designee and subject to the approval of the Federal Highway Administrator.

(b) *State public road mileage.* Each State must annually submit a certification of public road mileage within the State to the Federal Highway Administration Division Administrator by the date specified by the Division Administrator. Public road mileage on Indian reservations within the State shall be identified and included in the State mileage and in computing the State's apportionment.

(c) *Indian reservation public road mileage.* The Secretary of the Interior or his designee will submit a certification of public road mileage within Indian reservations to the Federal Highway Administrator by June 1 of each year.

(d) *Action by the Federal Highway Administrator.* (1) The certification of Indian reservation public road mileage, and the State certifications of public road mileage together with comments thereon, will be reviewed by the Federal Highway Administrator. He will make a final determination of the public road mileage to be used as the basis for apportionment of funds under 23 U.S.C. 402(c). In any instance in which the Administrator's final determination differs from the public road mileage certified by a State or the Secretary of the Interior, the Administrator will advise the State or the Secretary of the Interior of his final determination and the reasons therefor.

(2) If a State fails to submit a certification of public road mileage as required by this part, the Federal Highway Administrator may make a determination of the State's public road mileage for the purpose of apportioning funds under 23 U.S.C. 402(c). The

State's public road mileage determined by the Administrator under this subparagraph may not exceed 90 percent of the State's public road mileage utilized in determining the most recent apportionment of funds under 23 U.S.C. 402(c).

PART 470—HIGHWAY SYSTEMS

Subpart A—Federal-aid Highway Systems

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APPENDIX A TO SUBPART A—GUIDANCE CRITERIA FOR EVALUATING REQUESTS FOR INTERSTATE SYSTEM DESIGNATIONS UNDER 23 U.S.C. 139 (a) AND (b).

APPENDIX B TO SUBPART A—DESIGNATION OF SEGMENTS OF SECTION 332(a)(2) CORRIDORS AS PARTS OF THE INTERSTATE SYSTEM.

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APPENDIX D TO SUBPART A—GUIDANCE CRITERIA FOR EVALUATING REQUESTS FOR MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.

Subparts B–C [Reserved]

AUTHORITY: 23 U.S.C. 103(b)(2), 103 (e)(1), (e)(2), and (e)(3), 103(f), 134, 135, and 315; and 49 CFR 1.48(b)(2).

SOURCE: 40 FR 42344, Sept. 12, 1975, unless otherwise noted. Redesignated at 41 FR 51396, Nov. 22, 1976.

Subpart A—Federal-aid Highway Systems

SOURCE: 62 FR 33355, June 19, 1997, unless otherwise noted.

§ 470.101 Purpose.

This part sets forth policies and procedures relating to the identification of Federal-aid highways, the functional classification of roads and streets, the designation of urban area boundaries,

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and the designation of routes on the Federal-aid highway systems.

§ 470.103 Definitions.

Except as otherwise provided in this part, terms defined in 23 U.S.C. 101(a) are used in this part as so defined.

Consultation means that one party confers with another identified party and, prior to taking action(s), considers that party's views.

Cooperation means that the parties involved in carrying out the planning, programming and management systems processes work together to achieve a common goal or objective.

Coordination means the comparison of the transportation plans, programs, and schedules of one agency with related plans, programs, and schedules of other agencies or entities with legal standing, and adjustment of plans, programs, and schedules to achieve general consistency.

Federal-aid highway systems means the National Highway System and the Dwight D. Eisenhower National System of Interstate and Defense Highways (the "Interstate System").

Federal-aid highways means highways on the Federal-aid highway systems and all other public roads not classified as local roads or rural minor collectors.

Governor means the chief executive of the State and includes the Mayor of the District of Columbia.

Metropolitan planning organization (MPO) means the forum for cooperative transportation decisionmaking for the metropolitan planning area in which the metropolitan transportation planning process required by 23 U.S.C. 134 and 49 U.S.C. 5303-5305 must be carried out.

Responsible local officials means—

(1) In urbanized areas, principal elected officials of general purpose local governments acting through the Metropolitan Planning Organization designated by the Governor, or

(2) In rural areas and urban areas not within any urbanized area, principal elected officials of general purpose local governments.

State means any one of the fifty States, the District of Columbia, Puerto Rico, or, for purposes of functional classification of highways, the Virgin

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Islands, American Samoa, Guam, or the Commonwealth of the Northern Marianas.

§ 470.105 Urban area boundaries and highway functional classification.

(a) *Urban area boundaries.* Routes on the Federal-aid highway systems may be designated in both rural and urban areas. Guidance for determining the boundaries of urbanized and nonurbanized urban areas is provided in the "Federal-Aid Policy Guide," Chapter 4 [G 4063.0], dated December 9, 1991.¹

(b) *Highway Functional Classification.*

(1) The State transportation agency shall have the primary responsibility for developing and updating a statewide highway functional classification in rural and urban areas to determine functional usage of the existing roads and streets. Guidance criteria and procedures are provided in the FHWA publication "Highway Functional Classification—Concepts, Criteria and Procedures."² The State shall cooperate with responsible local officials, or appropriate Federal agency in the case of areas under Federal jurisdiction, in developing and updating the functional classification.

(2) The results of the functional classification shall be mapped and submitted to the Federal Highway Administration (FHWA) for approval and when approved shall serve as the official record for Federal-aid highways and the basis for designation of the National Highway System.

§ 470.107 Federal-aid highway systems.

(a) *Interstate System.* (1) The Dwight D. Eisenhower National System of Interstate and Defense Highways (Interstate System) shall consist of routes of highest importance to the Nation, built to the uniform geometric and construction standards of 23 U.S.C. 109(h), which connect, as directly as practicable, the principal metropolitan areas, cities, and industrial centers, including important routes into,

¹ The "Federal-aid Policy Guide" is available for inspection and copying as prescribed in 49 CFR part 7, Appendix D.

² This publication, revised in March 1989, is available on request to the FHWA, Office of Environment and Planning, HEP-10, 400 Seventh Street, SW., Washington, DC 20590.

through, and around urban areas, serve the national defense and, to the greatest extent possible, connect at suitable border points with routes of continental importance in Canada and Mexico.

(2) The portion of the Interstate System designated under 23 U.S.C. 103 (e)(1), (e)(2), and (e)(3) shall not exceed 69,230 kilometers (43,000 miles). Additional Interstate System segments are permitted under the provisions of 23 U.S.C. 139 (a) and (c) and section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, 105 Stat. 1914, as amended.

(b) National Highway System. (1) The National Highway System shall consist of interconnected urban and rural principal arterials and highways (including toll facilities) which serve major population centers, international border crossings, ports, airports, public transportation facilities, other intermodal transportation facilities, and other major travel destinations; meet national defense requirements; and serve interstate and interregional travel. All routes on the Interstate System are a part of the National Highway System.

(2) The National Highway System shall not exceed 286,983 kilometers (178,250 miles).

(3) The National Highway System shall include the Strategic Highway Corridor Network (STRAHNET) and its highway connectors to major military installations, as designated by the Administrator in consultation with appropriate Federal agencies and the States. The STRAHNET includes highways which are important to the United States strategic defense policy and which provide defense access, continuity, and emergency capabilities for the movement of personnel, materials, and equipment in both peace time and war time.

(4) The National Highway System shall include all high priority corridors identified in section 1105(c) of the ISTEA.

§ 470.109 System procedures—General.

(a) The State transportation agency, in consultation with responsible local officials, shall have the responsibility for proposing to the Federal Highway

Administration all official actions regarding the designation, or revision, of the Federal-aid highway systems.

(b) The routes of the Federal-aid highway systems shall be proposed by coordinated action of the State transportation agencies where the routes involve State-line connections.

(c) The designation of routes on the Federal-aid highway systems shall be in accordance with the planning process required, pursuant to the provisions at 23 U.S.C. 135, and, in urbanized areas, the provisions at 23 U.S.C. 134(a). The State shall cooperate with local and regional officials. In urbanized areas, the local officials shall act through the metropolitan planning organizations designated for such areas under 23 U.S.C. 134.

(d) In areas under Federal jurisdiction, the designation of routes on the Federal-aid highway systems shall be coordinated with the appropriate Federal agency.

§ 470.111 Interstate System procedures.

(a) Proposals for system actions on the Interstate System shall include a route description and a statement of justification. Proposals shall also include statements regarding coordination with adjoining States on State-line connections, with responsible local officials, and with officials of areas under Federal jurisdiction.

(b) Proposals for Interstate or future Interstate designation under 23 U.S.C. 139(a) or (b), as logical additions or connections, shall consider the criteria contained in appendix A of this subpart. For designation as a part of the Interstate system, 23 U.S.C. 139(a) requires that a highway meet all the standards of a highway on the Interstate System, be a logical addition or connection to the Interstate System, and have the affirmative recommendation of the State or States involved. For designation as a future part of the Interstate System, 23 U.S.C. 139(b) requires that a highway be a logical addition or connection to the Interstate System, have the affirmative recommendation of the State or States involved, and have the written agreement of the State or States involved that such highway will be constructed

to meet all the standards of a highway on the Interstate System within twelve years of the date of the agreement between the FHWA Administrator and the State or States involved. Such highways must also be on the National Highway System.

(c) Proposals for Interstate designation under 23 U.S.C. 139(c) shall pertain only to Alaska or Puerto Rico. For designation as parts of the Interstate System, 23 U.S.C. 139(c) requires that highway segments be in States which have no Interstate System; be logical components to a system serving the State's principal cities, national defense needs and military installations; and traffic generated by rail, water, and air transportation modes; and have been constructed to the geometric and construction standards adequate for current and probable future traffic demands and the needs of the locality of the segment. Such highways must also be on the National Highway System.

(d) Routes proposed for Interstate designation under section 332(a)(2) of the NHS Designation Act of 1995 (NHS Act) shall be constructed to Interstate standards and connect to the Interstate System. Proposals shall consider the criteria contained in appendix B of this subpart.

(e) Proposals for Interstate route numbering shall be submitted by the State transportation agency to the Route Numbering Committee of the American Association of State Highway and Transportation Officials.

(f) Signing of corridors federally designated as future Interstate routes can follow the criteria contained in appendix C of this subpart. No law, rule, regulation, map, document, or other record of the United States, or of any State or political subdivision thereof, shall refer to any highway under 23 U.S.C. 139, nor shall any such highway be signed or marked, as a highway on the Interstate System until such time as such highway is constructed to the geometric and construction standards for the Interstate System and has been designated as a part of the Interstate System.

§470.113 National Highway System procedures.

(a) Proposals for system actions on the National Highway System shall include a route description, a statement of justification, and statements of coordination with adjoining States on State-line connections, with responsible local officials, and with officials of areas under Federal jurisdiction.

(b) Proposed modifications to the National Highway System shall enhance the national transportation characteristics of the National Highway System and shall follow the criteria listed in §470.107. Proposals shall also consider the criteria contained in appendix D of this subpart.

§470.115 Approval authority.

(a) The Federal Highway Administrator will approve Federal-aid highway system actions involving the designation, or revision, of routes on the Interstate System, including route numbers, future Interstate routes, and routes on the National Highway System.

(b) The Federal Highway Administrator will approve functional classification actions.

APPENDIX A TO SUBPART A OF PART 470—GUIDANCE CRITERIA FOR EVALUATING REQUESTS FOR INTERSTATE SYSTEM DESIGNATIONS UNDER 23 U.S.C. 139 (a) AND (b)

Section 139 (a) and (b), of title 23, U.S.C., permits States to request the designation of National Highway System routes as parts or future parts of the Interstate System. The FHWA Administrator may approve such a request if the route is a logical addition or connection to the Interstate System and has been, or will be, constructed to meet Interstate standards. The following are the general criteria to be used to evaluate 23 U.S.C. 139 requests for Interstate System designations.

1. The proposed route should be of sufficient length to serve long-distance Interstate travel, such as connecting routes between principal metropolitan cities or industrial centers important to national defense and economic development.

2. The proposed route should not duplicate other Interstate routes. It should serve Interstate traffic movement not provided by another Interstate route.

3. The proposed route should directly serve major highway traffic generators. The term "major highway traffic generator" means either an urbanized area with a population over 100,000 or a similar major concentrated land use activity that produces and attracts long-distance Interstate and statewide travel of persons and goods. Typical examples of similar major concentrated land use activities would include a principal industrial complex, government center, military installation, or transportation terminal.

4. The proposed route should connect to the Interstate System at each end, with the exception of Interstate routes that connect with continental routes at an international border, or terminate in a "major highway traffic generator" that is not served by another Interstate route. In the latter case, the terminus of the Interstate route should connect to routes of the National Highway System that will adequately handle the traffic. The proposed route also must be functionally classified as a principal arterial and be a part of the National Highway System system.

5. The proposed route must meet all the current geometric and safety standards criteria as set forth in 23 CFR part 625 for highways on the Interstate System, or a formal agreement to construct the route to such standards within 12 years must be executed between the State(s) and the Federal Highway Administration. Any proposed exceptions to the standards shall be approved at the time of designation.

6. A route being proposed for designation under 23 U.S.C. 139(b) must have an approved final environmental document (including, if required, a 49 U.S.C. 303(c) [Section 4(f)] approval) covering the route and project action must be ready to proceed with design at the time of designation. Routes constructed to Interstate standards are not necessarily logical additions to the Interstate System unless they clearly meet all of the above criteria.

APPENDIX B TO SUBPART A OF PART 470—DESIGNATION OF SEGMENTS OF SECTION 332(a)(2) CORRIDORS AS PARTS OF THE INTERSTATE SYSTEM

The following guidance is comparable to current procedures for Interstate System designation requests under 23 U.S.C. 139(a). All Interstate System additions must be approved by the Federal Highway Administrator. The provisions of section 332(a)(2) of the NHS Act have also been incorporated into the ISTEA as section 1105(e)(5)(A).

1. The request must be submitted through the appropriate FHWA Division and Regional Offices to the Associate Administrator for Program Development (HEP-10). Comments and recommendations by the division and regional offices are requested.

2. The State DOT secretary (or equivalent) must request that the route segment be added to the Interstate System. The exact location and termini must be specified. If the route segment involves more than one State, each affected State must submit a separate request.

3. The request must provide information to support findings that the segment (a) is built to Interstate design standards and (b) connects to the existing Interstate System. The segment should be of sufficient length to provide substantial service to the travelling public.

4. The request must also identify and justify any design exceptions for which approval is requested.

5. Proposed Interstate route numbering for the segment must be submitted to FHWA and the American Association of State Highway and Transportation Officials Route Numbering

APPENDIX C TO SUBPART A OF PART 470—POLICY FOR THE SIGNING AND NUMBERING OF FUTURE INTERSTATE CORRIDORS DESIGNATED BY SECTION 332 OF THE NHS DESIGNATION ACT OF 1995 OR DESIGNATED UNDER 23 U.S.C. 139(b)

POLICY

State transportation agencies are permitted to erect informational Interstate signs along a federally designated future Interstate corridor only after the specific route location has been established for the route to be constructed to Interstate design standards.

CONDITIONS

1. The corridor must have been designated a future part of the Interstate System under section 332(a)(2) of the NHS Designation Act of 1995 or 23 U.S.C. 139(b).

2. The specific route location to appropriate termini must have received Federal Highway (FHWA) environmental clearance. Where FHWA environmental clearance is not required or Interstate standards have been met, the route location must have been publicly announced by the State.

3. Numbering of future Interstate route segments must be coordinated with affected States and be approved by the American Association of State Highway and Transportation Officials and the FHWA at Headquarters. Short portions of a multistate corridor may require use of an interim 3-digit number.

4. The State shall coordinate the location and content of signing near the State line with the adjacent State.

5. Signing and other identification of a future Interstate route segment must not indicate, nor imply, that the route is on the Interstate System.

6. The FHWA Regional Office must confirm in advance that the above conditions have been met and approve the general locations of signs.

SIGN DETAILS

1. Signs may not be used to give directions and should be away from directional signs, particularly at interchanges.

2. An Interstate shield may be located on a green informational sign of a few words. For example: Future Interstate Corridor or Future I-00 Corridor.

3. The Interstate shield may not include the word "Interstate."

4. The FHWA Division Office must approve the signs as to design, wording, and detailed location.

APPENDIX D TO SUBPART A OF PART 470—GUIDANCE CRITERIA FOR EVALUATING REQUESTS FOR MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM

Section 103(b), of title 23, U.S.C., allows the States to propose modifications to the National Highway System (NHS) and authorizes the Secretary to approve such modifications provided that they meet the criteria established for the NHS and enhance the characteristics of the NHS. In proposing modifications under 23 U.S.C. 103(b), the States must cooperate with local and regional officials. In urbanized areas, the local officials must act through the metropolitan planning organization (MPO) designated for such areas under 23 U.S.C. 134. The following guidance criteria should be used by the States to develop proposed modifications to the NHS.

1. Proposed additions to the NHS should be included in either an adopted State or metropolitan transportation plan or program.

2. Proposed additions should connect at each end with other routes on the NHS or serve a major traffic generator.

3. Proposals should be developed in consultation with local and regional officials.

4. Proposals to add routes to the NHS should include information on the type of traffic served (i.e., percent of trucks, average trip length, local, commuter, interregional, interstate) by the route, the population centers or major traffic generators served by the route, and how this service compares with existing NHS routes.

5. Proposals should include information on existing and anticipated needs and any planned improvements to the route.

6. Proposals should include information concerning the possible effects of adding or deleting a route to or from the NHS might

have on other existing NHS routes that are in close proximity.

7. Proposals to add routes to the NHS should include an assessment of whether modifications (adjustments or deletions) to existing NHS routes, which provide similar service, may be appropriate.

8. Proposed modifications that might affect adjoining States should be developed in cooperation with those States.

9. Proposed modifications consisting of connections to major intermodal facilities should be developed using the criteria set forth below. These criteria were used for identifying initial NHS connections to major intermodal terminals. The primary criteria are based on annual passenger volumes, annual freight volumes, or daily vehicular traffic on one or more principal routes that serve the intermodal facility. The secondary criteria include factors which underscore the importance of an intermodal facility within a specific State.

PRIMARY CRITERIA

Commercial Aviation Airports

1. Passengers—scheduled commercial service with more than 250,000 annual enplanements.

2. Cargo—100 trucks per day in each direction on the principal connecting route, or 100,000 tons per year arriving or departing by highway mode.

Ports

1. Terminals that handle more than 50,000 TEUs (a volumetric measure of containerized cargo which stands for twenty-foot equivalent units) per year, or other units measured that would convert to more than 100 trucks per day in each direction. (Trucks are defined as large single-unit trucks or combination vehicles handling freight.)

2. Bulk commodity terminals that handle more than 500,000 tons per year by highway or 100 trucks per day in each direction on the principal connecting route. (If no individual terminal handles this amount of freight, but a cluster of terminals in close proximity to each other does, then the cluster of terminals could be considered in meeting the criteria. In such cases, the connecting route might terminate at a point where the traffic to several terminals begins to separate.)

3. Passengers—terminals that handle more than 250,000 passengers per year or 1,000 passengers per day for at least 90 days during the year.

Truck/Rail

1. 50,000 TEUs per year, or 100 trucks per day, in each direction on the principal connecting route, or other units measured that would convert to more than 100 trucks per day in each direction. (Trucks are defined as

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large single-unit trucks or combination vehicles carrying freight.)

Pipelines

1. 100 trucks per day in each direction on the principal connecting route.

Amtrak

1. 100,000 passengers per year (entrainments and detrainments). Joint Amtrak, intercity bus and public transit terminals should be considered based on the combined passenger volumes. Likewise, two or more separate facilities in close proximity should be considered based on combined passenger volumes.

Intercity Bus

1. 100,000 passengers per year (boardings and deboardings).

Public Transit

1. Stations with park and ride lots with more than 500 vehicle parking spaces, or 5,000 daily bus or rail passengers, with significant highway access (i.e., a high percentage of the passengers arrive by cars and buses using a route that connects to another NHS route), or a major hub terminal that provides for the transfer of passengers among several bus routes. (These hubs should have a significant number of buses using a principal route connecting with the NHS.)

Ferries

1. Interstate/international—1,000 passengers per day for at least 90 days during the year. (A ferry which connects two terminals within the same metropolitan area should be considered as local, not interstate.)
2. Local—see public transit criteria above.

SECONDARY CRITERIA

Any of the following criteria could be used to justify an NHS connection to an intermodal terminal where there is a significant highway interface:

1. Intermodal terminals that handle more than 20 percent of passenger or freight volumes by mode within a State;
2. Intermodal terminals identified either in the Intermodal Management System or the State and metropolitan transportation plans as a major facility;
3. Significant investment in, or expansion of, an intermodal terminal; or
4. Connecting routes targeted by the State, MPO, or others for investment to address an existing, or anticipated, deficiency as a result of increased traffic.

PROXIMATE CONNECTIONS

Intermodal terminals, identified under the secondary criteria noted above, may not

have sufficient highway traffic volumes to justify an NHS connection to the terminal. States and MPOs should fully consider whether a direct connection should be identified for such terminals, or whether being in the proximity (2 to 3 miles) of an NHS route is sufficient.

Subparts B-C [Reserved]

PART 476—INTERSTATE HIGHWAY SYSTEM

Subpart A—General

Sec.

476.2 Definitions.

Subparts B-C [Reserved]

Subpart D—Withdrawal of Interstate Segments and Substitution of Public Mass Transit or Highway Projects or Both

476.300 Purpose.

476.302 Applicability.

476.304 Withdrawal request.

476.306 Withdrawal approval.

476.308 Concept approval for substitute projects.

476.310 Proposals for substitute public mass transit and highway projects.

476.312 Combined proposal.

476.314 Administrator's review and approval of substitute projects.

AUTHORITY: 23 U.S.C. 103(e)(2), 103(e)(4), 103(g), 103(h) and 315; 49 CFR 1.48(b) and 1.50(f).

Subpart A—General

§476.2 Definitions.

(a) Except as otherwise provided, terms defined in 23 U.S.C. 101(a) are used in this part as so defined.

(b) The following terms, where used in the regulations in this part, have the following meaning:

(1) *Base cost year* for the latest Interstate System cost estimate approved by Congress shall be the calendar year specified in the Interstate Cost Estimate Manual¹ for that estimate. For

¹The "Instructional Manual for the Preparation and Submission of the (Year) Estimate of the Cost of Completing the Interstate System in Accordance with section 104(b)(5) of title 23 U.S.C., Highways," published by the Federal Highway Administration, U.S. Department of Transportation, is

Continued

